

# TWO WHEELS OR MORE... NEW LAWS THAT AFFECT YOU

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Going into the 2005 legislative session, ABATE of Florida, Inc. had three primary targets.

- 1.) **Making stiffer Penalties for careless drivers that kill innocent people,**
- 2.) **Getting a Handle Bar Height rule that made sense,**
- 3.) **An anti-discrimination bill that would allow a biker to walk into a public place & not be harassed because of their mode of transportation.**

ABATE is proud to announce 2 of the 3 targets will become law on July 1, 2005 and are found attached to the Transportation Bill HB 1697.

1. **The *Stiffer Penalties*** law in essence is a stiffer penalty for those who are found responsible for causing an accident that result in severe injuries or death. For an accident resulting in a death, "the designated official shall impose a civil penalty of \$1000 in addition to any other penalties and the person's driver's license shall be suspended for 6 months." "If a person is required to appear before the designated official pursuant to s.318.19 (2) (accident with injuries) and is found to have committed the infraction, the designated official shall impose a civil penalty of \$500 in addition to any other penalties and the person's drivers license shall be suspended for 3 months."

This is a substantial change in the law compared to the previous, which simply cited the driver with careless driving and fined them \$80.00.

Moneys received from the mandatory civil penalties imposed shall be remitted to the Department of Revenue and deposited into the Department of Health Administrative Trust Fund to provide financial support to certified trauma centers throughout the state.

This bill was originally written so that ONE MILLION DOLLARS from these civil penalties would come back to ABATE for the purpose of oversight of Motorcycle Awareness, Highway Safety & Research. However, Senator Sebesta thought ALL the income would be better spent in the Trauma Centers to aid the victims of the senseless crimes rather than spending (some) of the money on raising public awareness of Motorcyclists and conducting research.

2. The ***Handle Bar Height Law*** - The new law states: Section 1. "A motorcycle or motor-driven cycle that is carrying a passenger, other than in a sidecar or enclosed cab, MUST be equipped with passenger footrests and handholds." Section 2. "A motorcycle or motor-driven cycle may not be operated if the handlebars are higher than the operator's shoulders when the operator is

properly seated on the cycle.”

As you know, this is a change from the previous law which stated the handlebars to be no higher than 15” above the seat. Those riding bikes with true ape-hangers will still be in violation, however, this is the necessary process that will work.

For those of you reading this, whether an ABATE member or not, these new laws will affect you too. If you are not an ABATE member, Thank one, Become one & Support your local Chapter. For more information about ABATE of Florida, Inc. visit [www.abateflorida.com](http://www.abateflorida.com).